



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION II

JACOB K. JAVITS FEDERAL BUILDING

NEW YORK, NEW YORK 10278

R. Sackie

ACTION MEMORANDUM

DATE: JAN 27 1995

SUBJECT: Request for a Change in Scope and Ceiling Increase for the CERCLA Removal Action at the Bayonne Barrel and Drum Site, Newark, New Jersey

FROM: Joseph V. Cosentino, On-Scene Coordinator
Removal Action Branch, Technical Support Section

TO: William J. Muszynski, P.E.
Deputy Regional Administrator

THRU: Kathleen C. Callahan, Director
Emergency & Remedial Response Division

Site ID No.: 9J

I. PURPOSE

The purpose of this Action Memorandum is to request the approval of additional funds to complete the removal action initiated on July 14, 1994, to remediate the threats to human health and the environment present at the Bayonne Barrel and Drum Site (Site).

A verbal funding authorization was received from the Director of the Emergency and Remedial Response Division (ERRD) on July 14, 1994. A total project ceiling of \$200,000, with a mitigation ceiling of \$150,000, was authorized. An Action Memorandum, confirming the verbal authorization and providing an additional \$935,000, of which \$500,000 was for mitigation contracting, was approved by the Deputy Regional Administrator on September 2, 1994. This increased the project ceiling to \$1,135,000, of which \$650,000 was for mitigation contracting.

This Action Memorandum documents the request for a change of scope and additional funds that are required to continue the removal action to contain, secure, stabilize, inventory, sample and identify the hazardous wastes and substances found at the Site. In order to complete this phase of the removal action, an additional \$565,000 is needed for mitigation contracting. The new project ceiling would be \$1,700,000, of which \$1,345,000 comes from our Regional removal allowance.

The Site is not on the National Priorities List (NPL), nor are there any nationally significant or precedent setting issues associated with this removal action.

II. SITE CONDITIONS AND BACKGROUND

The Comprehensive Environmental Response, Compensation and Liability Information System ID Number for this time-critical removal action is NJD009871401.

A. Site Description

1. Removal site evaluation

Please refer to pages 2 and 3 of the attached Action Memorandum, dated September 2, 1994.

2. Physical location

Please refer to page 3 of the attached Action Memo, dated September 2, 1994.

3. Site characteristics

Please refer to page 4 of the attached Action Memorandum, dated September 2, 1994.

4. Release or threatened release into the environment of a hazardous substance, or pollutant, or contaminant

The hazardous wastes and substances described on pages 4 to 7 of the in the initial Action Memorandum, dated September 2, 1994, have all been found on-site. Additional hazardous wastes/hazardous substances found on-site are the corrosive liquids stored in the "empty" acid pack drums.

The mechanism for releases to the soil and air include the deterioration and/or disturbance of the containers present at the Site. Contaminants from the soil and ash piles could become airborne if disturbed.

5. NPL status

The Site is not on the NPL. However, a Preliminary Assessment is being scheduled for the near future. There are not any nationally significant or precedent setting issues associated with this removal action.

B. Other Actions to Date

1. Previous actions

United States Environmental Protection Agency's Resource Conservation and Recovery Act (RCRA) program had been involved with the Site for a number of years. However, several attempts

to litigate and negotiate an owner/operator and/or third party site closure/clean-up proved to be unsuccessful.

In June and July of 1992, box trailers containing drums of material in excess of residual amounts and displaying the RCRA characteristic of ignitability were abandoned at the Site. EPA conducted a removal action in March 1993 to mitigate the threats presented by the material contained in the abandoned trailers. It was determined that the trailers were not associated with the former activities of Bayonne Barrel and Drum.

Aside from the actions taken during this removal, there have been no other previous federal or private actions taken to mitigate the threats presented as a result of the Site's operation.

2. Current actions

A Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) emergency removal action was initiated at the Site on July 14, 1994 to contain, secure, stabilize, inventory, sample and identify the hazardous wastes and substances found at the Site. These actions are on-going. Verbal authorization to initiate this action was provided by the ERRD Director on July 14, 1994. An Action Memorandum confirming the verbal authorization and providing additional funding was approved by the Deputy Regional Administrator, William J. Muszynski, on September 2, 1994.

Actions completed, to date, include:

- 24 hour site security;
- repair and replacement of perimeter fencing and gates;
- the posting of warning signs;
- the boarding of building windows and doors;
- the collection, sampling and overpacking of 458 fifty-five gallon drums and assorted containers;
- the sampling, collection and stabilization of interior ash piles;
- the sampling of three above-ground storage tanks;
- the sampling of four underground storage tanks;
- the sampling of building trenches and associated oil-water separator;
- the recovery and removal of two gas cylinders;
- the collection of soil samples from the drum furnace courtyard;

- restricting access to the drum furnace courtyard and
- the sampling and stabilization of exterior ash piles.

All drum samples collected have been haz-catted on-site and screened for Poly Chlorinated Biphenols (PCB). All samples have been test bulked according to waste stream and representative composite waste stream samples have been submitted for disposal analysis. Soil and ash samples have been screened for PCBs and dioxin.

Additional wastes were discovered upon removal of the drums and ash from the furnace building (building No. 2). Six covered pits containing liquids and sludges were uncovered beneath the drums and ash pile.

An additional under-ground storage tank was discovered upon the cutting of vegetation around building No. 8. A 50,000 gallon above-ground vertical storage tank previously reported as empty contained an estimated 5,000 gallons of liquid beneath a solidified crust of material.

The reportedly "empty" drum piles have numerous non-empty drums. Most of which are in very deteriorated condition. Acid pack drums which number an estimated 1,000 to 3,000, all appear to contain residual liquids with pHs of 0 to 3 pH units. Each of the estimated 40,000 to 45,000 drums will require inspection. It is proposed that during the inspection of the drums, that empty drums be shredded and recycled as scrap steel. This will facilitate the assessment of soil contamination, reduce the time, cost and inherent safety concerns related to the handling and staging/restaging of the drums. Residual liquids and solids will be collected, sampled and analyzed for enforcement and disposal criteria. Acid-pack drums will require deheading to facilitate the removal of the liners and material within them. In addition, the separation of the steel and poly will increase off-site disposal options and associated cost.

Shredded and whole tires cover possible contaminated soil/debris mounds. The tires will be removed from the Site for recycling and site debris will be disposed of. This will facilitate the assessment of soil contamination, reduce time, cost and inherent safety concerns related to the handling and movement of the tire piles.

The initial Action Memorandum documented that a CERCLA removal action was necessary to contain, secure, stabilize, inventory, sample and identify the hazardous wastes and substances at the Site. This Action Memorandum seeks to categorize and stabilize the additional wastes discovered and the removal of wastes and debris (empty drums and tires) to facilitate the assessment of surface soil contamination and the ongoing stabilization of the Site.

Currently, there are no other federal or private actions taking place at the Site.

C. State and Local Authorities' Role

1. State and local actions to date

Please refer to page 8 of the previous Action Memorandum, dated September 2, 1994.

2. Potential for continued state/local response

The New Jersey Department of Environmental Protection (NJDEP) sent a letter to the ERRD requesting that EPA stabilize the Site by inventorying, characterizing and disposing of the abandoned materials at the Site.

For additional information, please refer to page 8 of the previous Action Memorandum, dated September 2, 1994.

III. THREAT TO PUBLIC HEALTH, OR WELFARE, OR THE ENVIRONMENT AND STATUTORY AND REGULATORY AUTHORITIES

Based on the initial and on-going site assessments, conditions at the Site continue to meet the requirements of Section 300.415(b) of the National Contingency Plan (NCP) for the undertaking of a CERCLA removal action. Factors from Section 300.415(b)(2) that support conducting a removal action at the Site include:

(i) Actual or potential exposure to nearby human populations, animals, or the food chain from hazardous substances, or pollutants, or contaminants;

(iii) Hazardous substances, or pollutants, or contaminants in drums, barrels, tanks, or other bulk storage containers, that may pose a threat of release;

(iv) High levels of hazardous substances, or pollutants, or contaminants in soils largely at or near the surface, that may migrate;

(v) Weather conditions that may cause hazardous substances, or pollutants, or contaminants to migrate or be released;

(vi) Threat of fire or explosion; and

(vii) The availability of other appropriate federal or state response mechanisms to respond to the release.

No other government entity can address the Site within an appropriate time frame. As a result, the NJDEP formally requested EPA to undertake a removal action at the Site.

A. Threats to Public Health or Welfare

Due to the many CERCLA listed hazardous substances that are currently present in high concentrations at the facility, there is a potential for exposure to anyone that enters the building and to the nearby persons that either work or reside in the

affected area. Section II.A.4 discusses the releases and potential releases that can occur at the Site.

The main threats present at the Site are exposure through direct human contact with the ash piles, the contents of the drums and the soils. The threat of a potential fire exists due to vandalism and the activities of vagrants and scavengers. In addition, the concentrations of organic solvents detected in the drums stored within the building presents the potential for fire. Although a fence surrounds the Site, there are holes cut in several areas and gates have been removed that allow for access to the Site. Additionally, the portion of the fence that runs along the New Jersey Turnpike entrance ramp is only four feet high.

The January 8, 1992 Health Consultation conducted by Agency for Toxic Substances and Disease Registry concluded the following:

1. The Site could pose a health threat to vagrants, future workers, or others engaged in activities on-site that come in contact with or disturb the ash. Another concern is the potential for youngsters being exposed to contaminated dust that has been carried home on the boots and clothes of workers.
2. Drums containing high levels of VOCs may pose a fire, explosion, or physical hazard.
3. Migration of site related contaminants by wind erosion or other environmental transport mechanisms to nearby businesses or residences in quantities sufficient to pose a health threat are unlikely.
4. The fence surrounding the Site does not adequately restrict access to the Site.

Abandoned sites are typically attractions for children and vagrants. Therefore, populations most likely to be exposed are vagrants who may enter through breaches in the fence to occupy abandoned buildings, future workers employed for cleanup activities on-site, or for future commercial operations. For those who might enter the Site, exposures to contaminated soil/ash could occur through inhalation, ingestion or through direct dermal contact. In addition to on-site exposures, future workers or those involved in cleanup activities could also inadvertently carry contamination on their clothes and shoes to their homes exposing other family members.

PCBs are a group of organochlorine chemicals that because of their toxicity characteristics in animals and in humans are often a concern at hazardous waste sites. Maximum levels of total PCBs identified during the last sampling were measured in the ash at a concentration of 408 ppm. Toxicologic data and potential exposure scenarios suggest that it is unlikely that any short-term (two weeks or less) or intermediate duration (one year or less) exposures to PCB alone by any route would result in adverse

health effects. However, the presence of PCB's in solvents and hydrocarbons, such as at the Site, greatly magnify the adverse health effects of the material as a whole.

B. Threats to the Environment

Hazardous substances are present in the soils and the ground water beneath the Site. Due to the industrial setting that the Site is located in, there does not appear to be a threat to sensitive ecosystems or an exposure to hazardous substances by nearby animals and the food chain. The ground water in the general area is not used for drinking water purposes.

IV. ENDANGERMENT DETERMINATION

Actual or threatened releases of hazardous substances from the Site, if not addressed by implementing the response action selected in this Action Memorandum, may present an imminent and substantial endangerment to public health, or welfare, or the environment.

V. PROPOSED ACTIONS AND ESTIMATED COST

A. Proposed Action

1. Proposed actions description

The objective of this removal action is to reduce the threat of release and the potential for exposure through direct human contact and on-site releases. The proposed action will involve the following:

- continue site security including 24-hour guard service and repair and maintenance of the fence and gates;
- collection, inventory, stabilization and identification of all containerized material (drums and tanks);
- overpacking of all drums of questionable structural integrity that contain material;
- maintenance of the ash piles to prevent access and to minimize the migration of hazardous constituents;
- characterization for disposal of surface soils, soil piles and debris;
- removal of site debris to facilitate surface soil sampling; and
- on-site staging of hazardous wastes and materials until their final disposition can be determined.

2. Contribution to remedial performance

The Site is not on the NPL, however, a preliminary assessment is scheduled for the Site.

3. Description of alternate technologies

As this action is an emergency removal to stabilize the Site under limited funds, the consideration of alternative technologies does not apply.

4. Engineers evaluation cost analysis (EE/CA)

Due to the emergency nature of this removal action, an EE/CA will not be prepared.

5. Applicable or relevant and appropriate requirements (ARARs)

ARARs within the scope of this project to stabilize the Site, including RCRA and the Toxic Substances Control Act (TSCA), that pertain to the collection and stabilization of hazardous wastes and substances, will be met to the extent practicable.

6. Project schedule

An Emergency Response Clean-up Services (ERCS) contractor was selected and site security (24 hour guard) was initiated on July 14, 1994. EPA and ERCS responded to the Site on July 15, 1994. A full mobilization with the manpower and equipment necessary to complete the objectives of this action was initiated on July 18, 1994. Barring any unforeseen problems it is estimated that the actions to stabilize this site can be completed by March of 1995.

B. Estimated Cost

1. Extramural Costs

	Current Ceiling	Requested Increase	Proposed Ceiling
<u>Regional Allowance Costs</u>			
Cleanup contractor cost including labor, equipment, materials, laboratory analysis	\$ 650,000	\$452,000	\$1,102,000
20% contingency	\$ 130,000	\$113,000	\$ 243,000
ERCS Contractor Costs	\$ 780,000	\$565,000	\$1,345,000
<u>Other Extramural Costs Not Funded from the Regional Allowance</u>			
TAT Cost, including multiplier costs	\$ 230,000	\$0	\$ 230,000
EXTRAMURAL COSTS	\$1,010,000	\$565,000	\$1,575,000

Intramural Direct Costs

INTRAMURAL COSTS	\$ 125,000	\$0	\$ 125,000
TOTAL, REMOVAL PROJECT CEILING	\$1,135,000	\$565,000	\$1,700,000

Actions taken to date under mitigation contracting have cost an estimated \$635,000.

VI. EXPECTED CHANGE IN THE SITUATION SHOULD ACTION BE DELAYED OR NOT TAKEN

Delayed action to contain and stabilize the hazardous substances present at the Site (drums, ash piles and tanks) will increase the potential for a fire and/or explosion due to arson, incidental trespassing and the activities of vagrants and scavengers. Although most of the Site is fenced, there are numerous access points.

VII. OUTSTANDING POLICY ISSUES

There are no outstanding policy issues associated with this removal action.

VIII. ENFORCEMENT

A review of site documents was initiated on October 24, 1994, following the receipt of access agreements from the City of Newark and the Estate of Mrs. Langella. Based upon information collected during the review of site documents an enforcement strategy was developed and an enforcement sampling event initiated.

Please refer to pages 12 and 13 of the previous Action Memorandum, dated September 2, 1994.

IX. RECOMMENDATIONS

This decision document represents the selected removal action for the stabilization of the Site located at 150-154 Raymond Blvd. in Newark, New Jersey. This document was developed in accordance with CERCLA, as amended, and is not inconsistent with the NCP. This decision is based on the administrative record for the Site.

Conditions at the Site continue to meet the NCP Section 300.415(b)(2) criteria for a removal action. The proposed ceiling increase of \$565,000, if approved, will result in a total project ceiling of \$1,700,000. Sufficient funding is available in the current Advice of Allowance to finance this project.

Please indicate your approval and authorization of funding for a removal action at the Bayonne Barrel and Drum Site, Newark, New Jersey, as per current Delegation of Authority, by signing below.

APPROVAL: _____

William J. Muszynski, P.E.
Deputy Regional Administrator

DATE: _____

1/31/55

DISAPPROVAL: _____

William J. Muszynski, P.E.
Deputy Regional Administrator

DATE: _____

cc: (after approval is obtained)

W. Muszynski, DRA
K. Callahan, ERRD-D
R. Salkie, ERRD-ADREPP
G. Zachos, ERRD-RAB
J. Witkowski, ERRD-RAB-TSS
M. Randol, EPD
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